PTO/SB/31 (07-06)
Approved for use through 09/30/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
and to a collection of information unless it displays a valid OMP control country.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES In re Application of Edward J. Sommer, Jr. et al.			Information unless it displays a valid OWB control number	
In re Application of Edward J. Sommer, Jr. et al. Application Number 10/766,298-Conf. #9344 For HIGH-SPEED MATERIALS SORTING SYSTEM Art Unit 3654 T. H. Matthews Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner. The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 500.00 X Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 250.00 A check in the amount of the fee is enclosed. Payment by credit card. Form PTO-2038 is attached. X The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. X The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 23/2825 I have enclosed a duplicate copy of this sheet. X A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. I am the applicant /inventor. assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. Steven J. Henry				
Application Number 10/766,298-Conf. #9344 For HIGH-SPEED MATERIALS SORTING SYSTEM Art Unit 3654 T. H. Matthews Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner. The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: A check in the amount of the fee is enclosed. Payment by credit card. Form PTO-2038 is attached. The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 23/2825 I have enclosed a duplicate copy of this sheet. A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. I am the applicant /inventor. assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. Steven J. Henry				
Art Unit Art				
Art Unit Bexaminer T. H. Matthews Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner. The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: A check in the amount of the fee is enclosed. Payment by credit card. Form PTO-2038 is attached. The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. X The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 23/2825 . I have enclosed a duplicate copy of this sheet. X A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. I am the applicant /inventor. Signature	}	Application Number	Filed	
Art Unit 3654 Examiner T. H. Matthews Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner. The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) X Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: A check in the amount of the fee is enclosed. Payment by credit card. Form PTO-2038 is attached. X The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. X The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 23/2825 . I have enclosed a duplicate copy of this sheet. X A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. I am the applicant /inventor. Signature Signature Signature Signature Signature		• •	January 27, 2004	
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner. The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) X Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: A check in the amount of the fee is enclosed. Payment by credit card. Form PTO-2038 is attached. X The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. X The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 23/2825 . I have enclosed a duplicate copy of this sheet. X A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. I am the assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. Steven J. Henry	For HIGH-SPEED MATERIALS SORTING SYSTEM			
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner. The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) X Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: A check in the amount of the fee is enclosed. Payment by credit card. Form PTO-2038 is attached. X The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. X The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 23/2825 . I have enclosed a duplicate copy of this sheet. X A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. I am the assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. Steven J. Henry				
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner. The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) X Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: A check in the amount of the fee is enclosed. Payment by credit card. Form PTO-2038 is attached. X The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. X The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 23/2825 . I have enclosed a duplicate copy of this sheet. X A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. I am the applicant /inventor. Signature				
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) X Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: A check in the amount of the fee is enclosed. Payment by credit card. Form PTO-2038 is attached. X The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. X The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 23/2825 . I have enclosed a duplicate copy of this sheet. X A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. I am the applicant /inventor. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. Steven J. Henry		3654	T. H. Matthews	
above is reduced by half, and the resulting fee is: A check in the amount of the fee is enclosed. Payment by credit card. Form PTO-2038 is attached. X The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. X The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 23/2825 I have enclosed a duplicate copy of this sheet. X A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. I am the assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)				
A check in the amount of the fee is enclosed. Payment by credit card. Form PTO-2038 is attached. X The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. X The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 23/2825 . I have enclosed a duplicate copy of this sheet. X A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. I am the applicant /inventor. assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown			
The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. X The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 23/2825 . I have enclosed a duplicate copy of this sheet. X A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. I am the applicant /inventor. assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)				
I have enclosed a duplicate copy of this sheet. X The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 23/2825 . I have enclosed a duplicate copy of this sheet. X A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. I am the applicant /inventor. assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. Steven J. Henry	Payment by credit card. Form PTO-2038 is attached.			
Deposit Account No. 23/2825 . I have enclosed a duplicate copy of this sheet. X A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. I am the applicant /inventor. assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96) Steven J. Henry				
I am the applicant /inventor. assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96) Steven J. Henry				
applicant /inventor. assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96) Steven J. Henry	X A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.			
assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) Steven J. Henry	I am the			
assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96) Steven J. Henry	applicant /inventor.		Sub-	
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96) Steven J. Henry			Signature	
is enclosed. (Form PTO/SB/96) Steven J. Henry				
Typed of printed name				
L V atternay or agent of record	V ottornov or accest of race-		Typed of printed frame	
x attorney or agent of record. Registration number 27,900	· · · ·	000		
(617) 646-8000	Registration number 27,9			
attorney or agent acting under 37 CFR 1.34. Telephone number	attomey or agent acting under	37 CFR 1.34.	Telephone number	
Registration number if acting under 37 CFR 1.34. November 16, 2006	Registration number if acting und	er 37 CFR 1.34.		
Date				
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.				
X *Total of forms are submitted.	X *Total of 1 forms are	e submitted.		

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: November 16, 2006

(Danielle A. Calder)